(24)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5728 of 2007

PETITIONER		P.K. Paikra, S/o Shri Budh Ram Paikra, aged about 39 years, Occupation Vaigyanik Adhikari (Scientist), Mobile Unit, Scene of Crime, Raigarh, District Raigarh (C.G.)
		Versus
RESPONDENTS	1	State of Chhattisgarh, Through: Secretary Department of Home Affairs, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
	2	Director, Forensic Science Laboratory, Raipur (C.G.)
	3.	Collector, District Raigarh (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri S.D. Singh, Counsel for the petitioner.
Shri Ajay Dwivedi, Panel Lawyer for the State.

ORAL ORDER
(08.10.2007)

SUNIL KUMAR SINHA, J

Heard.

The petitioner, who is working on the post of Scientist in Mobile Unit, Raigarh, has been transferred to Forensic Science Laboratory, Raipur by order dated 25/1/2007.

Learned counsel for the petitioner submits that parents of the petitioner are old, who are residing with him and he is having two small school going children, studying in LKG and Class-II in Local Institution, therefore, it would be difficult for the petitioner to go on transfer from Raigarh to Raipur.

These are not the grounds for interfering in the order of transfer by a Court of law. Unless the order of transfer is vitiated by malafides or extraneous consideration or is against any statutory Rules or Act, it cannot be interfered by a Court of Law, is the settled view of the Apex Court.

For the foregoing reasons, I am not inclined to admit this petition for hearing.

This petition is dismissed at the motion stage itself. However, so far as personal difficulties of the petitioner are concerned, he may file a detailed representation before the concerned authority, who shall be free to dispose of the same at the earliest in accordance with law.

Sd/-
Sunil Kumar Sinha
Judge

Shyna